

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	21 MC 100 (AKH)
IN RE WORLD TRADE CENTER DISASTER	:	
SITE LITIGATION	:	
-----X	:	
IN RE WORLD TRADE CENTER AND LOWER	:	21 MC 103 (AKH)
MANHATTAN DISASTER SITE LITIGATION	:	
(straddler plaintiffs)	:	
-----X	:	

STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for those Defendants listed on Exhibit 1 hereto (which Defendants have entered into settlement agreements with certain plaintiffs represented by Worby Groner Edelman & Napoli Bern in the 21 MC 100, 102, 103 dockets (collectively, the "Settling Plaintiffs")), for the Insureds of the WTC Captive Insurance Company, Inc. identified on Exhibit A to the Final Settlement Process Agreement ("FSA") (collectively, the "WTC Captive Insureds"), and for the Settling Plaintiffs, that each Defendant listed on Exhibit 1 hereto hereby releases all actual or alleged, whether asserted or unasserted, indemnification claims, if any, that it has against the WTC Captive Insureds identified arising from the claims of the Settling Plaintiffs who have also opted into the settlement as described in the FSA and who have settled their claims with such Defendant;

IT IS HEREBY FURTHER STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the WTC Captive Insureds, for those Defendants listed on Exhibit 1, and for the Settling Plaintiffs, that the WTC Captive Insureds release all actual or

alleged, whether asserted or unasserted, indemnification claims, if any, that they have against the Defendants listed on Exhibit 1 hereto arising from the Settling Plaintiffs' claims;

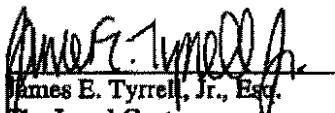
IT IS HEREBY FURTHER STIPULATED AND AGREED, by and between the undersigned attorneys of record for the Defendants listed on Exhibit 1 and the Settling Plaintiffs that each Defendant listed on Exhibit 1 agrees to release all actual or alleged, whether asserted or unasserted, indemnification claims, if any, that it may have against another Defendant or Defendants arising from the claims of a Settling Plaintiff who has opted into a settlement with such Defendant where such Settling Plaintiff has also opted into a settlement with another Defendant or Defendants listed on Exhibit 1;

IT IS HEREBY FURTHER STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the WTC Captive Insureds, the Defendants listed on Exhibit 1 hereto and the Settling Plaintiffs, that should a Settling Plaintiff's release to any of the WTC Captive Insured or any Defendant listed on Exhibit 1 hereto be adjudicated to be invalid, ineffective or otherwise void for any reason (such that the Settling Plaintiff's claims against any of the WTC Captive Insureds or any Defendant listed on Exhibit 1 hereto are revived, refiled or otherwise active), then the provisions of this Stipulation and Agreement shall be inapplicable, void and have no effect regarding any and all claims between the WTC Captive Insureds and the Defendants listed on Exhibit 1 as well as between the Defendants Listed on Exhibit 1 hereto arising out of the Settling Plaintiff's claims.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: August 9, 2011
New York, New York

PATTON BOGGS LLP


James E. Tyrrell, Jr., Esq.
The Legal Center
One Riverfront Plaza, Suite 600
Newark, NJ 07102
Counsel to the WTC Captive Insureds

Dated: August 9, 2011

SCHIFF HARDIN LLP

Paul Scrudato
900 3rd Avenue
New York, NY 10022-4753
(212) 753-5000
*Counsel to The Port Authority of New York
and New Jersey*


Dated: August ___, 2011

MORRISON MAHONEY LLP

Gary W. Harvey
250 Summer Street
Boston, MA 02210-1181
(212) 428-2498
Counsel to Survivalr

Dated: August ___, 2011

**WORBY GRONER EDELMAN & NAPOLI
BERN, LLP**


Paul J. Napoli, Esq.
350 5th Avenue, Suite 7413
New York, NY 10118

Counsel to Plaintiffs

Dated: August ___, 2011

**ECKERT SEAMANS CHERIN &
MELLOTT, LLC**

Steven R. Kramer, Esq. (SRK-2097)
10 Bank Street, Suite 1061
White Plains, NY 10606
(914) 949-2909
Counsel to Taylor Recycling Facility, LLC

Dated: August ___, 2011

PILLINGER MILLER TARALLO, LLP

Marc H. Pillinger (ML-5246)
570 Taxter Road, Suite 275
Elmsford, NY 10523
(914) 703-6300
*Counsel to Evans Environmental & Geological
Science and Management, LLC*

Dated: August ___, 2011

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: August 9, 2011
New York, New York

SO ORDERED:



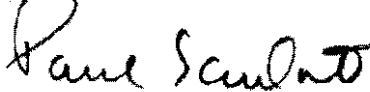
ALVIN K. HELLERSTEIN, U.S.D.J.

PATTON BOGGS LLP

James E. Tyrrell, Jr., Esq.
The Legal Center
One Riverfront Plaza, Suite 600
Newark, NJ 07102
Counsel to the WTC Captive Insureds

Dated: August ____, 2011

SCHIFF HARDIN LLP



Paul Scrudato
900 3rd Avenue
New York, NY 10022-4753
(212) 753-5000
*Counsel to The Port Authority of New York
and New Jersey*

Dated: August 15, 2011

MORRISON MAHONEY LLP

Gary W. Harvey
250 Summer Street
Boston, MA 02210-1181
(212) 428-2498
Counsel to Survivair

**WORBY GRONER EDELMAN & NAPOLI
BERN, LLP**

Paul J. Napoli, Esq.
350 5th Avenue, Suite 7413
New York, NY 10118

Counsel to Plaintiffs

Dated: August ____, 2011

**ECKERT SEAMANS CHERIN &
MELLOTT, LLC**



Steven R. Kramer, Esq. (SRK-2097)
10 Bank Street, Suite 1061
White Plains, NY 10606
(914) 949-2909

Counsel to Taylor Recycling Facility, LLC

Dated: August 20, 2011

PILLINGER MILLER TARALLO, LLP

Marc H. Pillinger (ML-5246)
570 Taxter Road, Suite 275
Elmsford, NY 10523
(914) 703-6300
*Counsel to Evans Environmental & Geological
Science and Management, LLC*

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: August 9, 2011
New York, New York

PATTON BOGGS LLP

James E. Tyrrell, Jr., Esq.
The Legal Center
One Riverfront Plaza, Suite 600
Newark, NJ 07102
Counsel to the WTC Captive Insureds

Dated: August ___, 2011

SCHIFF HARDIN LLP

Paul Scrudato
900 3rd Avenue
New York, NY 10022-4753
(212) 753-5000
*Counsel to The Port Authority of New York
and New Jersey*

Dated: August ___, 2011

MORRISON MAHONEY LLP

Gary W. Harvey
250 Summer Street
Boston, MA 02210-1181
(212) 428-2498
Counsel to Survivalr

**WORBY GRONER EDELMAN & NAPOLI
BERN, LLP**

Paul J. Napoli, Esq.
350 5th Avenue, Suite 7413
New York, NY 10118

Counsel to Plaintiffs

Dated: August ___, 2011

**ECKERT SEAMANS CHERIN &
MELLOTT, LLC**

Steven R. Kramer, Esq. (SRK-2097)
10 Bank Street, Suite 1061
White Plains, NY 10606
(914) 949-2909
Counsel to Taylor Recycling Facility, LLC

Dated: August ___, 2011

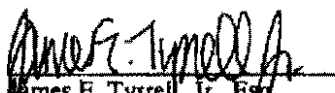
PILLINGER MILLER TARALLO, LLP

Marc H. Pillinger (ML-5246)
570 Taxter Road, Suite 275
Elmsford, NY 10523
(914) 703-6300
*Counsel to Evans Environmental & Geological
Science and Management, LLC*

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: August 9, 2011
New York, New York

PATTON BOGGS LLP


James E. Tyrrell, Jr., Esq.
The Legal Center
One Riverfront Plaza, Suite 600

Newark, NJ 07102
Counsel to the WTC Captive Insureds

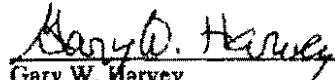
Dated: August 9, 2011

SCHIFF HARDIN LLP

Paul Scrudato
900 3rd Avenue
New York, NY 10022-4753
(212) 753-5000
*Counsel to The Port Authority of New York
and New Jersey*

Dated: August __, 2011

MORRISON MAHONEY LLP


Gary W. Harvey
250 Summer Street
Boston, MA 02210-1181
(212) 428-2498
Counsel to Survivair

Dated: August 9, 2011

**WORBY GRONER EDELMAN & NAPOLI
BERN, LLP**

Paul J. Napoli, Esq.
350 5th Avenue, Suite 7413
New York, NY 10118

Counsel to Plaintiffs

Dated: August __, 2011

**ECKERT SEAMANS CHERIN &
MELLOTT, LLC**

Steven R. Kramer, Esq. (SRK-2097)
10 Bank Street, Suite 1061
White Plains, NY 10606
(914) 949-2909
Counsel to Taylor Recycling Facility, LLC

Dated: August __, 2011

PILLINGER MILLER TARALLO, LLP

Marc H. Pillinger (ML-5246)
570 Taxter Road, Suite 275
Elmsford, NY 10523
(914) 703-6300
*Counsel to Evans Environmental & Geological
Science and Management, LLC*

Dated: August __, 2011

Dated: August 17, 2011

MCGIVNEY & KLUETER, P.C.


Richard B. Loff (RL-2123)

80 Broad Street, 23rd Floor

New York, NY 10004

(212) 509-3456

Counsel to Phillips & Jordan, Inc.

Dated: August ___, 2011

Dated: August ___, 2011

COZEN O'CONNOR


Anita B. Weinstein

45 Broadway, 16th Floor

New York, NY 10006

(212) 504-9400

*Counsel to Tishman Construction Corporation of
New York, Tishman Construction Corporation of
Manhattan and Tishman Interiors Corporation*

Dated: August ___, 2011

MCGIVNEY & KLUGER, P.C.

Richard E. Leff (RL-2123)
80 Broad Street, 23rd Floor
New York, NY 10004
(212) 509-3456
Counsel to Phillips & Jordan, Inc.

Dated: August __, 2011

COZEN O'CONNOR



Anita B. Weinstein
45 Broadway, 16th Floor
New York, NY 10006
(212) 504-9400
*Counsel to Tishman Construction Corporation of
New York, Tishman Construction Corporation of
Manhattan and Tishman Interiors Corporation*

Dated: August 10, 2011

EXHIBIT 1

A Russo Wrecking, Inc.
Acrow
Acrow Corporation of America
Allcom Electric
Amec Construction Management, Inc.
Amec Earth & Environmental, Inc.
Anthony Cortese Specialized Hauling LLC
ASG Pest Control
ASG Pest Control Services, Inc.
ATC Associates, Inc.
ATC Group Serv dba ATC Associates
ATC Group Service Inc. d/b/a ATC Associates Inc.
Atlantic Heydt Corp.
Atlas Concrete & Cutting
Atlas Concrete Corp
Avanti Demolition & Carting Corp.
Bechtel Associates Professional Corporation
Bechtel Construction, Inc.
Bechtel Corporation
Bechtel Environmental, Inc.
Bergen Concrete Cutting
Bergen Concrete Cutting, Inc.
Berkel & Co. Contractors, Inc.
Big Apple Wrecking & Construction Corp.
Board of Education of the City of New York
Bovis Construction
Bovis Holdings Limited
Bovis International
Bovis International, Inc
Bovis Lend Lease Interiors, Inc.
Bovis Lend Lease LMB, Inc.
Bovis Lend Lease, Inc.
Breeze Carting Corp.
Breeze Carting, Inc.
Breeze International
Breeze National Inc.
Brer Four Transportation Corp.
Brer-Four Transportation
Buro Happold Consult Eng. P.C.
C & D Fireproofing and Plastering Corp.
C & D Painting and Decorating, Inc.
C&D Painting Inc.
C. B. Contracting Corp.
Canron Construction Corp.

Cantor Seinuk Group
Certified Fence Corp.
City of New York
Civetta Cousins JV, L.L.C.
Clarco Enterprise Corp
Clarco Enterprises Corp.
Clarco Enterprises LLC
Component Assembly Systems Inc.
Coordinated Metals, Inc.
Cord Contracting Co., Inc.
Craig Test Boring Company, Inc.
Criticom International Corp.
Dakota Demo Tech
DCM Erectors, Inc.
Department of Business Services
Desimone Consulting Engineers, PLLC
Diamond Point Excavating Corp.
Diego Construction, Inc.
Diversified Carting, Inc.
DMT Enterprise, Inc
D'Onofrio General Contractors Corp.
Eagle Leasing & Industrial Supply
Eagle One Roofing Contractors, Inc.
Eagle Scaffolding Co.
EJ Davies, Inc.
En-Tech Corp
Entertainment Partners
Entertainment Partners Corp
ET Environmental
ET Environmental Corporation, LLC
Evans Environmental & Geological Science and Management, LLC
Evergreen Recycling of Corona
Ewell W. Finley, P.C.
Executive Medical Services, PC
F&G Mechanical Corporation
F&G Mechanical Inc.
Felix Equities, Inc.
Fleet Trucking, Inc.
Francis (Frank) Micelli Jr. Contracting Inc.
Francis A. Lee Company
Francis A. Lee Company, A Corporation
Francis A. Lee Exterior Restoration, Inc
Frank Micelli Jr. Contracting
FTI Trucking

EXHIBIT 1

FTI Trucking Corp.
G & G Contracting Inc.
Gilsanz Murray Steficek, LLP
Gilsanz, Murray & Steficek, LLP
Gino Cracolici & Sons Inc.
Gino Cracouci & Sons Inc.
Goldstein Associates Consulting Engineers PC
Goldstein Associates Consulting Engineers, PLLC
Grace Construction & Development Corp
Grace Contracting Corp
Grace Industries
Grace Industries, Inc.
Hallen Welding Service, Inc.
Helmsman Management Services, Inc.
HGC Contracting Corp.
High Rise Electric, Inc.
High Rise Hoisting and Scaffolding, Inc.
Highrise Hoisting and Scaffolding, Inc.
HP Environmental
HP Environmental, Inc.
Hudson Meridian Construction Group LLC
J&P Equipment & Material Handling Co.
J.P. Equipment & Rental Materials, L.L.C.
James Ruderman LLP
JP Equipment Rental Materials, Inc.
Kevin McManus
Koch Skanska, Inc.
Laquila Construction, Inc.
Laquilla Construction Inc.
Lastrada General Contracting Corp.
Leslie E. Robertson Associates Consulting Engineers PC
Leslie E. Robertson Associates, R.L.L.P.
Liberty Mutual Group
Liberty Mutual Insurance Company
Liberty Mutual Managed Care, Inc.
LiRo Group
Liro, Inc.
Lockwood, Kessler & Bartlett, Inc.
Lucius Pitkin, Inc.
LZA Tech - Div of Thornton Tomasetti
M.G. McLaren, PC
Manafort Brothers, Inc.

Mazzocchi Wrecking Inc.
Medcor
Medcor Medical and Hospital Supply
Medcor, Inc.
Ment Bros. Iron Works Co., Inc.
Ment Brothers
Ment Brothers Iron Works
Meridian Construction Corp
Moretrench American Corp.
Moretrench Construction
MRA Engineering, PC
Mueser Rutledge Consulting Engineers
Musco Sports Lighting, LLC
Nacirema Industries, Inc.
New York City Department of Education
New York City School Construction Authority
New York Crane & Equipment Corp.
New York Crane Service & Equipment
Nicholson Construction Co.
Nicholson/Heywood Joint Venture
Off Road Welding, Inc.
Office of James Ruderman LLP
Olympic Plumbing and Heating, Corp.
Ove Arup & Partners P.C.
Parson Group LLC
Peter Scalamandre & Sons, Inc.
Phillips & Jordan, Inc.
Pinnacle
Pinnacle Environmental Corporation
Plaza Construction Corporation
Plaza Construction Management Corp
Pro Safety Services Inc.
Pro Safety Services, LLC
PT&L Contracting Corp.
Regional Scaffold & Hoisting Co, Inc.
Regional Scaffolding & Hoisting Co., Inc.
Rich Mark Contracting, Inc
Rich Mark Environmental Services, Inc.
Robert C. Stewart
Robert Errat
Robert L. Gerosa, Inc.
Robert Silman Associates
Robert Silman Associates, P.C.
Rodar Enterprises Inc.

EXHIBIT 1

Royal GM Inc.
SAB Trucking Inc.
Safeway Environmental, Corp.
Semcor Equipment
Semcor Equipment and Manufacturing Corporation
Severud Associates Consulting Engineers, P.C
Sheldrake Organization, Inc.
Silverado Contractors
Silverado Contractors, Inc.
Silverite Contracting Corp.
Silverite Contractors
Simpson, Gumpertz & Heger, Inc
Skanska Koch, Inc.
Skidmore, Owings & Merrill LLP
Star Delta Electric
Stier Anderson, LLC
Summit Structures
Summit Structures LLC
Survivair
Taylor Recycling Facility, LLC
Telenet Communications, Inc.
The City University of New York
The City University of New York (CUNY)
The LiRo Group
The Port Authority of New York and New Jersey
Thornton Tomasetti Group
Thornton Tomasetti, Inc.
Thyssen Krupp Elevator Co.
Thyssenkrupp Elevator Corporation
Thyssenkrupp Elevator Corporation
Tishman Construction Corporation of New York
Tishman Construction Corporation of Manhattan
Tishman Interiors Corporation
Tomasetti Group
Toretta Trucking, Inc.
Torretta Trucking, Inc.
Total Safety Consulting LLC
Tucci Equipment Rental Corp.
Tully Construction Co., Inc.
Tully Construction Company

Tully Construction Company, Inc.
Tully Consulting Corp.
Tully Environmental Inc. (aka EROC)
Tully Industries
Turner Construction Co.
Turner Construction Company
Turner Construction International
Turner Construction International LLC
Turner/Plaza, A Joint Venture
Ultimate Demolition/CS Hauling (Joint Venture)
United States Rebar
United States Rebar, Inc.
Vanguard Equipment Rentals
Vanguard Equities Inc.
Vertical Technologies
Vertical Technologies, Inc.
Vertical Technology Inc.
Vollmer Associates LLP
W. Harris & Sons Inc.
Walter White Trucking
Weeks Marine, Inc.
Weidlinger Associates Consulting Engineers PC
Weidlinger Associates P.C.
Whitney Contracting
Whitney Contracting, Inc.
Wolkow Braker Roofing Corp.
WSP Cantor Seinuk
Yannuzzi & Sons, Inc
Yannuzzi Group of Companies
Yonkers Contracting Company, Inc
Yonkers-Tully-Pegno, a Joint Venture
York Hunter Construction
York Hunter Construction, LLC
Ziegenfuss Drilling, Inc.